

Information Packet

New Business in Dagsboro

Existing Building – Town Center District

*Please note that all business proposals are subject to a Planning & Zoning hearing as well as Town Council approval.

1. Is this use permitted in the district? Review 275-21A – TC – Town Center Districted Permitted Uses
2. If the answer to #1 is yes, continue to Step 3.
If the answer is no, you will need to apply for a permitted use to be added to the zoning district. (This takes **approximately** 3 months.)
3. Review Town of Dagsboro's Parking Requirements to confirm there is adequate parking
4. Prepare a parking plan
5. Prepare a renovation plan (if applicable)
 - a. Depending on the extent of renovations, a tenant fit-out permit may be required by the Town and Sussex County
 - b. Any interior/exterior renovations that change the square footage or existing footprint of the structure will require Sussex County building code review and plans must be sealed by a Delaware registered architect or a Delaware licensed professional engineer
6. Submit plans to the Delaware State Fire Marshal's Office for review (302-856-5600)
7. Submit plans to DelDot for review (302-760-4803)
8. Inform Sussex County Engineering Department of proposed use for County Sewer (302-855-7718)
9. If proposed use is food related, contact DE Department of Public Health for permits (302-744-4546)
10. Review Town of Dagsboro's Change of Use pamphlet
11. Submit Change of Use Application
12. If a Change of Use does not apply, you will need to submit a New Business Certificate of Occupancy Application.
13. Any proposed signage must be submitted on a sign permit application.
14. Once you receive a Certificate of Occupancy, you may submit the Business License Application.

*If the proposed use results in an increase in water usage, you may be required to purchase additional EDU's for the business. Each EDU is \$3,000. The increase in EDU's is based on the type of proposed business. If this is an increase in water usage, there may be a meter upgrade charge.

*Town of Dagsboro, DE
Tuesday, May 3, 2016*

Chapter 275. Zoning

Article I. Title and Purpose

§ 275-5. Prohibited uses.

All uses not expressly permitted in this chapter are prohibited.

Chapter 275. Zoning

Article IV. District Regulations

§ 275-21. TC - Town Center District.

[Added 11-20-2006]

Purpose. The intent of this district is to meet the needs of a mixed-use commercial area; preserve the existing mixed uses of the Town and encourage new construction to be compatible with setbacks and scale of existing structures, stabilize and improve property values in the community; foster civic beauty; strengthen the local economy and political unit; further the community's general welfare by continuing a uniformity in the exterior of all structures in the community; maintain a relationship between the exterior architectural features and color schemes of the structure, to the remainder of the structure and to surrounding structures; attain a general compatibility of exterior design, arrangement, texture and materials proposed to be used; encourage the continuation and establishment of small businesses, professions and skilled craft occupations in conjunction with residential uses. These regulations will make a substantial difference in creating a downtown area that people will want to reside within, visit, shop and work within.

A. Principal permitted uses on the land and in buildings:

- (1) Single-family dwellings and upper-level apartment or condominium flat units located above commercial business or uses.
- (2) Churches, schools, libraries, municipal buildings, museums, parks, playgrounds and community centers.
- (3) Nursery schools or child day-care centers, provided the play area is fully fenced, that one parking space per employee is provided, an adequate and safe passenger loading parking area is provided and 100 square feet of open space per child is provided.
- (4) Boarding and bed-and-breakfast, provided one additional paved off-street parking space exists per bedroom.
- (5) Medical centers, rest homes and nursing homes, provided one off-street parking space exists for each attendant or worker and one off-street parking space exists for each three patients to be cared for therein.
- (6) Lodges and fraternal organizations.
- (7) Neighborhood retail outlets, furniture, clothing, dry goods, shoe and variety services, and sales and service for small and large appliances.
- (8) Food, drug, beverages, grocery, fruit or vegetable stores, meat markets, delicatessens, drugstores, bakeries in conjunction with retail sales, coffee shops.

[Amended 9-22-2008]

- (9) Specialty shops, gift shops, antique stores, jewelry stores, magazine, book, and stationery outlets; except that no store that sells pornographic or other obscene materials shall be permitted; florist shops, camera and photography shops, art studios, sporting goods, taxidermists, bicycle sales and service.
- (10) Service and recreation facilities, laundromats, dry cleaning and laundry pickup stations, barber and beauty shops, dressmaking and millinery shops, shoe repair and tailor shops, mortuaries, commercial recreation, dance and sports studios, theaters, repair shops for small appliances and small articles, newspaper printing and publishing facilities, volunteer fire departments and ambulance service, public service buildings and offices, and meeting places for nonprofit organizations.
- (11) Business and professional offices, medical and dental offices and clinics, law offices, insurance and real estate offices, banks, finance, utility company offices, and other professional offices.

(12) Restaurants and eatery.

[Added 9-22-2008]

(a) Requirements.

- [1] A restaurant may have a bar area, as defined, where consumption of alcoholic beverages for patrons waiting to be seated is allowed, provided that the number of patrons in the bar area does not exceed the Fire Marshal's occupancy limit for that area.
- [2] A minimum of 85% of the patron area must be dedicated as a permanent seated dining area.
- [3] All tables and chairs in the permanent seated dining area of a restaurant shall be maintained and located in an accessible and usable configuration at all times and may not be temporarily moved so as to increase any bar area.
- [4] Music or entertainment, live or recorded, shall not be allowed in any outside service area, including but not limited to external speakers or amplifiers on the patio, or heard from internal speakers inside the premises.
- [5] Within the permanent seated dining area, service of alcoholic beverages may be provided only to seated patrons. Stand-up consumption of alcoholic beverages is not allowed in the permanent seated dining area. No alcoholic beverages are permitted in any outside service area.
- [6] All windows and doors of any restaurant or eatery shall remain closed except for the passage of patrons when music or entertainment is being played.
- [7] With respect to any outside service area, there shall be no overflow of patrons onto public ways, pedestrian or vehicular. Furthermore, blocking of public ways, pedestrian or vehicular, by actions related to the outside service area is prohibited.
- [8] Outside service areas, porches, patios, or decks used in conjunction with a restaurant or eatery for the purpose of seated dining shall have a minimum floor area of 250 square feet and be a maximum of 750 square feet, which shall not be enclosed on all sides with permanent structural walls and roofing.
- [9] A buffer two feet in width shall surround the outside service area except where an entranceway exists. The buffer area shall be either solid fencing or block or brick wall four feet in height with landscape plantings on the outside of the fence or wall for the remainder of the buffer area, or an evergreen planting of shrubs and/or

1480 5 01 0

trees four feet in height full from top to final grade, to visually screen the outside service area from general public view.

[10] A restaurant may not serve alcoholic beverages before 11:30 a.m. or later than 10:00 p.m., or later than the time when the offering of complete meals in the permanent seated dining area ends, whichever is earlier.

[11] Food service shall not be permitted before 6:00 a.m. or after 10:00 p.m.

- (13) Temporary removable stands, carts or farm wagons for seasonal and temporary sales of produce, handmade crafts, farm products and prepared food, provided that the business owner complies with the requirements of the Delaware Department of Health and submits to the Town a site plan indicating the type and location of the facilities and the proposed parking area, which site plan shall be required to be approved by the Town Council after a recommendation by the Planning Commission. Parking for the business customers shall not be within the right-of-way of the State of Delaware roadway or Town of Dagsboro streets. No business office or store is to be permanently maintained on the premises unless a separate approval is acquired for such use. Permitted periods of operation shall be from 8:00 a.m. to 8:00 p.m. from May 1 to November 30, annually.

[Added 6-4-2012; amended 5-20-2013]

B. Accessory uses permitted:

- (1) Private garage, garden or tool shed.
- (2) Shall be compatible in style and function with the principal use.
- (3) Minimum area and yard requirements for accessory uses and structures:

Requirement	Attached Accessory Building	Detached Accessory Building	Detached Garage
Location	Side and rear yards	Rear yard	Rear yard
Side corner setback	Same as principal	Same as principal	Same as principal
Side interior setback	Same as principal	5 feet	2 feet
Front yard setback	Same as principal	Same as principal	Same as principal
Rear yard setback	Same as principal	5 feet	2 feet
Distance from principle	N/A	10 feet	10 feet
Distance from dwelling on residential lot	N/A	20 feet	20 feet
Maximum height	Same as principal	15 feet	18 feet
Maximum lot coverage	Same as principal	25% of rear yard	25% of rear yard

- (4) Windmills or wind-powered generators (subject to § 275-26).
[Added 2-23-2009]

C. Building height.

- (1) No building shall exceed 35 feet in height.
- (2) Rooftop mechanical equipment shall be screened by extended parapet walls or other roof forms that are integrated with the architecture of the building.
- (3) Commercial buildings shall be designed to maintain the scale of the existing residential and commercial buildings presently located on the Main Street and Clayton Avenue.

D. Area and yard requirements.

- (1) Minimum:

Requirement	Single-Family	Multifamily above Commercial	New Commercial Uses in Existing Buildings	New Commercial Buildings
Lot size (square feet)	10,000*	5,000	5,000	5,000
Lot area per dwelling unit (square feet)	10,000*	2,000	N/A	N/A
Lot frontage (feet)	75	50	50	50
Lot depth				
Each side yard setback (feet)	8	N/A	8	8
Front yard setback (feet)	10*	N/A	25	10
Rear yard setback* (feet)	25	N/A	25	25

NOTE:

*Review additional requirements below.

- (2) Single-family density. The overall single-family density shall not exceed three units per acre.
- (3) Maximum building size. The maximum building size allowed within the Town Center District shall be 20,000 square feet.
- (4) Lot coverage. No new building and/or new accessory use shall be constructed to cover more than 60% of the lot, and no existing building or structure shall be enlarged as to cover more than 60% of the lot.
- (5) Corner lots. Corner lots shall provide two front yards; and where there are dwellings located on both adjoining lots to the side, the front yard setback may be the average of the front yard setback of both these lots.
- (6) Front yard setbacks. Front yard setbacks shall be established by averaging of the setbacks of existing buildings located on either side of the lot to be developed. Where no buildings exist on either side of the lot to be developed, the average setback from the edge of the street to the building front of all buildings along the street shall be used to determine the maximum setback of the proposed development. Under no circumstances shall the established be less than 10 feet.
- (7) Side yard setbacks. Side yard setbacks may be waived so that the resulting space in said side yard may be utilized to create a continuous-appearing building, provided there is compatible design and the lot complies with all other requirements, including maximum coverage, parking, and access. However, suitable pedestrian access to parking located in the rear of the structure must be provided.

E. Minimum off-street parking.

- (1) One-family dwelling: two parking spaces.
- (2) Lodging houses: one space on lot per bedroom.
- (3) Apartment or condominium unit: two spaces for each dwelling unit.

- (4) Churches erected on new sites: one parking space on the lot for each 10 seats in the main auditorium, but existing churches and additions to or enlargements of churches existing at the time of passage of this section shall be exempt from this requirement.
- (5) New places of public assembly not existing of the date of enactment of this section, including auditoriums and theaters: one parking space for each four seats provided.
- (6) New institutions, lodges and other public and semipublic buildings shall provide 10 spaces for each 1,000 square feet of floor area.
- (7) New commercial business in an existing building:
 - (a) One off-street parking area for every two persons operating the business with a minimum of one space per business.
 - (b) One off-street parking space for each 200 square feet of floor space for customer service.
- (8) Each parking space shall not be less than 10 feet wide and no less than 20 feet long.
- (9) A off-street automobile parking area shall be provided on any lot which any of the prescribed uses are established. Such space shall be provided with safe vehicular access to a street or alley. Such parking areas and spaces shall conform to the requirements stated in § 275-35, Screen planting; off-street parking and loading; driveways.
- (10) In the Town Center District, parking spaces may be provided on a separate lot if located within 500 feet of the subject use or building. Two or more lot owners may join together in the provision of the required parking space.
- (11) Existing buildings not complying with off-street parking requirements may be remodeled, repaired and structurally altered; however, any enlargement of a structure, except as otherwise exempted above, shall require compliance with the required parking spaces for said enlargement.
- (12) Fee in lieu of provided parking space. Whenever the required number of parking spaces are not currently available on street and cannot be provided on-site in a manner that satisfies the requirements of this section, the applicant shall pay a fee in lieu of one or more required spaces, in an amount determined by the Town Council sufficiently equivalent to the estimated costs of establishing additional public parking spaces within the Town Center District. Such fee shall be kept in a dedicated fund to provide for municipal parking purposes and shall be used for such purposes.
- (13) Location of off-street parking. All off-street parking, to the extent possible, shall be located behind or to the side of the building. Parking spaces located in a side yard shall be screened from view. All parking areas shall be landscaped with trees and shrubs and shall provide at least one shade tree per 10 parking spaces.
- (14) Vehicular access between commercial lots. Vehicular access between commercial lots is required instead of individual parcel curb cuts. Adjoining parking areas must be connected directly to one another to a service drive or alley to reduce turning movements onto roads unless the Town Engineer determines that such connectivity access is not available and practical. The exact location and extent or cross access between lots shall be subject to review and approval by the Planning Commission.
- (15) For mixed-use developments, site plans must address the parking needs of the different users through design measures such as shared parking with time provisions and metered parking.

(1) Each space shall be located so that any vehicle being loaded or unloaded or maneuvering into a loading space does not interfere with any other parking or loading spaces, driveways, aisles, fire lane or street right-of-way.

H. Lighting.

- (1) All off-street parking lots shall designate traffic flow and parking spaces.
- (2) Outdoor lighting fixtures used to illuminate parking spaces, driveways, maneuvering areas, or buildings shall be fully shielded and designed, arranged and screened so that the point of light source shall not be visible from adjoining lots or streets.
- (3) Outdoor lighting shall be 12 feet or less in height except:
 - (a) Lighting for parking or vehicle circulation areas may extend to a maximum height of 20 feet.
 - (b) Building-mounted lighting directed back at a sign or building facade; or fully shielded lighting on above-grade decks or balconies.
- (4) The design and styles of lighting poles and/or fixtures must be compatible with the design and architectural style of the buildings and facilities illuminated.
- (5) Lighting fixtures must be approved by the Town Planning and Zoning Commission and determined to be compatible with the type of development proposed and the requirements of this subsection.

- (1) Site plans submitted for approval to the Planning and Zoning Commission shall comply with the following sidewalk specifications:
 - (a) Direct pedestrian access walkway to the public sidewalk from each front or side building entrance.
 - (b) Direct pedestrian access walkway to all adjacent properties with pedestrian walkways.
 - (c) Pedestrian access walkways from buildings to parking areas, with extension of such walkways through the parking areas to adjacent streets or buildings.

- J. Nonconforming structures and uses. See § 275-52A(4) for nonconforming use requirements.

Depending on the extent of renovations, a tenant fit-out permit may be required by the Town and Sussex County.

Any interior/exterior renovations that change the square footage or existing footprint of the structure will require Sussex County building code review and plans must be sealed by a Delaware registered architect or a Delaware licensed professional engineer.

Town of Dagsboro
Commercial Building Permit Application
33134 Main Street, PO Box 420
Dagsboro, DE 19939
302-732-3777

Permit # _____

Applicant	Owner	Builder
Name	Name	Name
Mail Address	Mail Address	Mail Address
City/State/Zip	City/State/Zip	City/State/Zip
Phone/Fax	Phone/Fax	Phone/Fax

Lot: _____ Subdivision: _____ Site Address: _____

Total Area of New Construction in SQ FT: _____ Parcel #: _____

Total Lot Dimensions: Width: _____ Depth: _____ SQFT: _____

Principal Type Frame: ☐ Masonry ☐ Wood ☐ Structural Steel ☐ Reinforced Concrete ☐ Other

Type of Mechanical: ☐ Central Air Conditioning ☐ Elevator

APPLICANT MUST INCLUDE PLANS & SPECIFICATIONS

3 Hard Copies & 1 Electronic Copy (pdf)

☐ New Commercial/Industrial ☐ Commercial Addition or Remodel ☐ Tenant Fit-Out ☐ Other

Project Value (without lot): \$ _____

Description: _____

APPLICANT SIGNATURE _____

DATE _____

A: NEW COMMERCIAL CONSTRUCTION

Permit Fee:	\$85 X Square Footage X 1.25%	\$
Water Meter	Radio Read Meter	Meter Size \$
	Fire Suppression System	Meter Size \$
Water Impact Fee	\$3,000 per EDU	# of EDU's \$
Public Service Impact Fee	\$1,500 per EDU	# of EDU's \$
Fire Dept. Impact Fee	Total Project Cost X .25%	
Amb Service Impact Fee	Total Project Cost X .25%	

B: ALL OTHERS

Total Cost of Improvements: _____ X 1.25% = \$ _____
(**\$50 Minimum Fee**)

Total Due: \$ _____

Building Inspector: _____

☐ Approved

☐ Denied

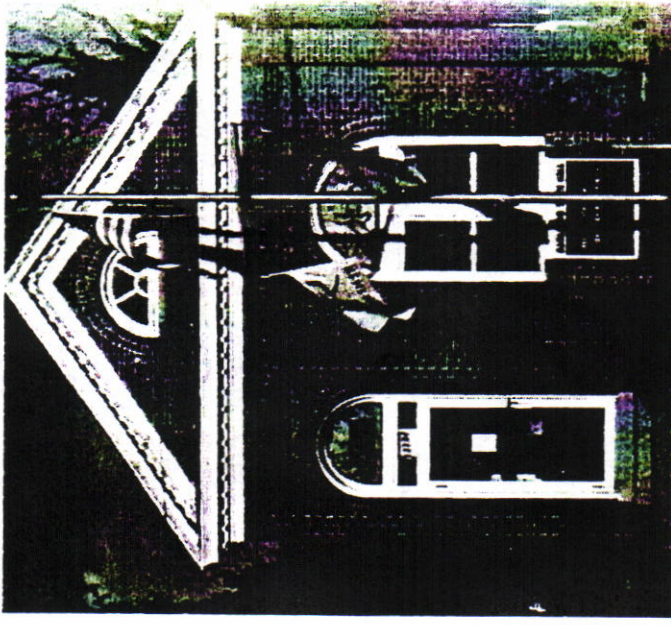
Date Issued: _____ Permit # _____

Certificate of Occupancy Issue Date: _____

Frequently asked questions:

- Q. How do I know if the intensity is greater?
 A. Let's say you want to change a single family home into an office. You think that you would only need 2 parking spaces, 1 for you and 1 for your client. Both uses are permitted in the Zoning of the property. The State Fire Marshal's Office and DelDOT have no objections.
 Because the parking requirements did not increase the intensity did not increase.
 Chances are this would be an Administrative Change of Use.
- Q. I own a house and want to convert it to a multifamily house.
 A. This would be considered a change of use due to increasing the intensity of the use. Further the parking requirements for the house would be increasing as well as Fire Marshal requirements. If it is permitted in the Zoning it would not be considered an Administrative Change of Use and would require a Planning Commission Review.
- Q. I have an office building that I want to convert into 4 different and separate business spaces.
 A. The site should have been reviewed when it was first built for the original large office. During that review parking, landscaping, lighting, buffering, ect.. should have been addressed. As long as the 4 business are used for the same type of use and the Fire Marshal's Office and DelDOT does not have objections the use may be greater but the intensity did not increase. However, if one of the spaces was being used for Doctor visits then the intensity increased due to the amount of traffic that potentially could be going in and out of the parking area.

- Q. How long does this process take?
 A. Typically if there is no intensity increase, Town Council can grant approval at their regular meetings.
- Q. Why do I need to contact the Fire Marshal's Office?
 A. The Fire Marshal's office reviews building plans to ensure there is adequate egress for the spaces in case of a fire. They also look at occupancy loads egress path of travel and a numerous of other things to protect the public.
- Q. Why do we need to get DelDOT involved?
 A. Title 17 -Highways, Chapter 1, Section 146 - Access to state-maintained highways;
- (d) For purposes of this section, whenever the use to which a property is being put is changed such that there will be a significant alteration in the character, flow or volume of traffic, as determined within the sole discretion of the Department, a new permit shall be required.*



Administrative Change of Use Procedures

Town of Dagsboro
 33134 Main Street
 Dagsboro, DE 19939
 p. 302-732-3777
 f. 302-732-3907

What is a change of use?

1. The replacement of an existing use by a new use, or change in the nature of an existing use where the use may entail additional parking or loading spaces.
2. A change from one permitted use on the property to another permitted use, or the addition of a new permitted use in the building or on the property to an existing use.

Some examples of an administrative change of use would be:

1. Converting a bank to office
2. Converting an office building to a single family house
3. Converting a retail store to a office

Or for the purpose of this program an Administrative Change of Use is converting one permitted use to a different permitted use which will have a less intense impact on the Town and the community which it is located.

What items do you need to provide?

1. Survey of the property.
2. Sketch drawings of any improvements being proposed. Minimum size of drawing 8.5" x 11"
3. Any signage proposed.
4. Proof of ownership or ownership approval.
5. Any outside agency approvals.
 - a. DelDOT (if accessing the property from a State maintained road).
 - b. State Public Health (if you are dealing with food products).
 - c. State Fire Marshal

The Process:

1. Complete an application for a change of use.
2. Submit the application with your drawings, outside agency approvals and a check for the fee required.
3. The Building Official will review the application to ensure all required information is provided and the use is permitted in the zoning district.
4. The Building Official will place the application on the Town Council agenda.
5. Town Council shall review the application and in their determination they find this is a minor change of use, may approve the change of use.
6. Complete any building permits as required for the change of use (interior work, signage, ect..)
7. Apply for a business license.
8. Receive a Certificate of Occupancy.
9. Open your business.

- A. Should the Building Official determine that the intensity of the change of use requires Planning Commission site plan review they will inform you of your next step.

- B. Chapter 275-40 from the Town Code states; Site plan review is required for all uses involving new construction, expansion, or intensification of existing use, except for single family dwelling on an existing lot. These would not be classified as an Administrative Change of Use.

Required information:

Zoning Compliance Verified	
1	Current use
2	Proposed use
Parking requirements	
1	Parking requirement for proposed use
2	Current number of parking spaces available on site ***
3	Loading area required
4	Proposed loading area location
Site Requirements	
1	Signage proposed ***
2	Signage meets Town Standards
3	Proposed dumpster location & screening ***
4	ADA accessible (As applicable)
5	Landscaping required ***
6	Landscaping buffer required ***
7	Lighting plan required ***
Occupancy	
1	Occupancy load per floor
2	Number of EDU's for current use
3	Number of EDU's for proposed use
4	Additional water impact fee required
5	Minimum means of egress required
7	ADA accessible (As applicable)
Outside Agency Approvals	
1	State Fire Marshal
2	DelDOT (if accessing state maintained Road)
3	Sussex County Engineering approval required
4	State Public Health approval required

*** Indicates items that require to be shown on drawings. For signage a sketch of the proposed sign with the sizes.

FILL OUT THE ATTACHED
APPLICATION ONLY IF THERE IS
AN INTENSIFICATION OF THE
USE. YOU WILL NEED TO
SUBMIT A FULL SITE PLAN FOR
REVIEW BY THE PLANNING &
ZONING COMMISSION.

Town of Dagsboro

Change of Use Application

DATE: _____

APPLICANT NAME: _____
ADDRESS: _____
PHONE: _____
FAX: _____
EMAIL: _____

OWNER (IF DIFFERENT THAN APPLICANT): _____
ADDRESS: _____
PHONE: _____
FAX: _____
EMAIL: _____

PROPERTY LOCATION: _____ TAX MAP PARCEL # _____

CURRENT USE: _____ CURRENT ZONING DISTRICT: _____

PROPOSED USE: _____

**IF YOU ARE NOT THE RECORDED OWNER OF THE PROPERTY, THERE MUST BE A LETTER OF
AUTHORIZATION SIGNED BY THE OWNER, NOTARIZED, AND SUBMITTED WITH THE APPLICATION.**

APPLICANT

DATE: _____

FEES:

\$500 Application Fee (*non-refundable*)

\$1,250 Change of use engineering professional review escrow payment (to be replenished upon depletion)

\$500 Change of use legal professional review escrow payment (to be replenished upon depletion)

Failure to replenish escrow account upon notice will cause the application to be discontinued.

Items Required Upon Submission: (Minimum size drawing 8.5 X 11)

Sketch Drawings of Any Improvements Being Proposed; Existing & proposed lighting

Sketch Drawings of Any Proposed Signage; Sketch drawing of buffering & landscaping

Description of existing and proposed parking, including location, number of spaces, and surfacing materials

Agency Approvals: DelDOT, State Fire Marshal, Sussex County engineering, Public Health (for food service/sales)

This application and fee is not in Lieu of applicable building permit fees which will be required for improvements

FILL OUT THE ATTACHED
APPLICATION ONLY IF THERE IS
NOT AN INTENSIFICATION OF
THE USE.

Town of Dagsboro
ADMINISTRATIVE
Change of Use Application

DATE: _____

APPLICANT NAME: _____
ADDRESS: _____
PHONE: _____
FAX: _____
EMAIL: _____

OWNER (IF DIFFERENT THAN APPLICANT): _____
ADDRESS: _____
PHONE: _____
FAX: _____
EMAIL: _____

PROPERTY LOCATION: _____ TAX MAP PARCEL # _____

CURRENT USE: _____ CURRENT ZONING DISTRICT: _____

PROPOSED USE: _____

**IF YOU ARE NOT THE RECORDED OWNER OF THE PROPERTY, THERE MUST BE A LETTER OF
AUTHORIZATION SIGNED BY THE OWNER, NOTARIZED, AND SUBMITTED WITH THE APPLICATION.**

APPLICANT DATE: _____

FEES:

\$500 Application Fee (*non-refundable*)

Items Required Upon Submission: (Minimum size drawing 8.5 X 11)

Sketch Drawings of Any Improvements Being Proposed

Sketch Drawings of Any Proposed Signage (separate permit required before erection of any signs)

Description of existing parking, including location, number of spaces, and surfacing materials

Agency Approvals: DelDOT, State Fire Marshal, Sussex County engineering, Public Health(for food service/sales)

This application and fee is not in Lieu of applicable building permit fees which will be required for improvements

**FILL OUT THE ATTACHED
CERTIFICATE OF OCCUPANCY
APPLICATION IF THE CHANGE
OF USE PROCESS DOES NOT
APPLY**

TOWN OF DAGSBORO
NEW BUSINESS
CERTIFICATE OF OCCUPANCY APPLICATION

APPLICANT:

Business Name: _____
Mailing Address: _____
Business Phone # _____ Email Address: _____
Contact Name: _____ Cell Phone # _____

PROPERTY OWNER:

Name: _____ Phone # _____
Mailing Address: _____
Email Address: _____

PROPERTY INFO:

Physical Address: _____
Tax Map Parcel # _____
Current Zoning: _____ Current or Prior Use: _____
Proposed Use (be specific): _____

Proposed Number of Employees: _____
Proposed Hours of Operation: _____

Items to be attached to application:

- ☐ Letter of authorization from property owner(s)
- ☐ Fire Marshall Approval
- ☐ DelDOT – Letter of No Objection/Contention (if located on a State of Delaware maintained road)
- ☐ Sussex County Engineering Dept. – Sewer Capacity
- ☐ Department of Health & Social Services (food establishments only)
- ☐ Parking Plan (8.5X10 sketch)
- ☐ Renovation Plan (if applicable)
 - Depending on the extent of renovations, a tenant fit-out permit may be required by the Town and Sussex County
 - Any interior/exterior renovations that change the square footage or existing footprint of the structure will require Sussex County building code review and plans must be sealed by a Delaware registered architect or a Delaware licensed professional engineer
- ☐ Sign Permit Application & fee
- ☐ Business License Application & fee

FEE: \$200 (payable to the Town of Dagsboro)

FOR OFFICE USE ONLY:

Date Received _____

Review Date _____ Reviewed by _____

☐ APPROVED

☐ DENIED (List Reason)

○ _____

Final Inspection Date _____ Inspected by _____

☐ APPROVED

☐ DENIED (List Reason)

○ _____

Certificate of Occupancy Date _____ Issued by _____

State Business License # _____ Dagsboro Business License # _____

Chapter 275. Zoning

Article XII. Sign Regulations

§ 275-74. Signs in C - Commercial, HC - Highway Commercial, TC - Town Center and Industrial Districts.

[Amended 11-20-2006; 5-21-2007]

In the C - Commercial, HC - Highway Commercial, TC - Town Center and Industrial Districts:

A. Permitted signs:

- (1) Signs permitted in §§ **275-69**, **275-70** and **275-73** are permitted in these districts.
- (2) For residential structures located in these districts, community signs and residential living signs not in excess of two square feet of area are permitted.
- (3) Except for signs listed in Subsection **A(1)** and **(2)** and permitted window signs, no signs shall be displayed from the interior of any structure so as to be plainly visible from outside the structure.

B. Types of signs; regulations. In addition to the signs permitted in Subsection **A** above, there shall be permitted a maximum of two signs per business unit or other nonresidential unit from the following sign classifications:

(1) Wall signs.

(a) Size:

[1] Shall not exceed one square foot of sign area for every linear foot of length of the wall on which the sign is to be displayed.

[2] Total sign area shall not exceed 24 square feet.

(b) Number: one per business unit or other nonresidential unit per street frontage.

(2) Awning and canopy signs.

(a) The total sign area shall not exceed one square foot for every two linear feet of the wall upon which the awning or canopy is located, provided that total maximum area of any such sign shall not exceed 24 square feet.

(b) Sign lettering and design shall be affixed flat to the surface of the awning or canopy.

(c) Only the copy area of the sign shall be considered in any square-foot limitations.

(d) When an awning or canopy sign covers multiple store fronts, each store shall be permitted one copy area, not to exceed 80% of the individual store front.

(3) Marquee signs for theatres, exclusively:

- (a) Shall not project more than 42 inches beyond the marquee faces or edges.
- (b) Shall, in no instance, be less than eight feet above the walkway, sidewalk or thoroughfare.
- (c) Shall not exceed 48 square feet per sign. A theatre may have two marquee signs per building.

(4) Projecting signs.

(a) Number:

- [1] One per building wall which faces a street or parking lot.
- [2] A building having multiple commercial units shall be permitted more than one projecting sign facing a street or parking lot, provided that:
 - [a] The number of projecting signs does not exceed one for each 25 feet of frontage.
 - [b] Number: one projecting sign per unit.

(b) Size. Signs shall not exceed six square feet per sign.

(c) Location:

- [1] Shall not project more than 36 inches from the face of the building or wall.
- [2] Shall not extend beyond the eaves for a one-story building.
- [3] Shall maintain a clearance of eight feet from public street way (sidewalk).

(d) Shall not project or extend into the required setback area.

(e) Shall not be permitted if such sign obstructs, interferes or in any way becomes a hazard to the orderly movement of pedestrian or vehicular traffic.

(5) Freestanding signs.

- (a) Number: one per lot or parcel, except where a street frontage exceeds 300 continuous linear feet, in which case, two signs shall be permitted along that frontage.
- (b) Size. The sign area shall not exceed 32 square feet per sign.
- (c) Location. Signs shall be located at least 10 feet from any property line.
- (d) Height. Signs shall not be higher than 16 feet from the grade.
- (e) All signage in multi-unit locations shall have continuity in design, size, color and lettering.

(6) Window signs. Area is not to exceed one-half the total area of the window in which it is posted, and a maximum possible area of six square feet.

(7) Sandwich boards shall not exceed 24 inches in width or 36 inches in height.

(8) Reader boards. One per property or business is permitted. It shall either be mounted on a wall or a freestanding sign.

**TOWN OF DAGSBORO
33134 MAIN STREET
P. O. BOX 420
DAGSBORO, DE 19939**

SIGN PERMIT APPLICATION

Name of Business: _____
Mailing Address: _____
Phone Number _____ **Fax #** _____

Physical Location of the Sign _____

Sign Contractor _____ **Phone #** _____
Town of Dagsboro Business License # _____
State of Delaware Business License # _____

Dimension and Height of Sign _____
Depiction of Sign - Attach to Application (2 Required)

\$50.00 Fee - Payable to: TOWN OF DAGSBORO

Code Enforcement Officer

APPROVED

Date

DISAPPROVED

Reason

FILL OUT THE ATTACHED
BUSINESS LICENSE
APPLICATION ONLY AFTER YOU
HAVE RECEIVED A CERTIFICATE
OF OCCUPANCY FROM THE
TOWN OF DAGSBORO

TOWN OF DAGSBORO
P. O. Box 420 – 33134 Main Street
Dagsboro, DE 19939
Phone 302 732 3777 Fax 302 732 3907

BUSINESS NAME _____

TRADE NAME _____

MAILING ADDRESS _____

PHYSICAL ADDRESS _____

CONTACT PERSON _____ PHONE # _____

EMAIL ADDRESS _____

ALTERNATE PHONE # _____ FAX # _____

BUSINESS
DESCRIPTION _____

STATE LICENSE # _____

EMPLOYER IDENTIFICATION # _____

☐ **Check this box if this is a New Business Located in Town** - This application will be reviewed by the Code Enforcement Officer for Compliance with the Code of the Town of Dagsboro.

PLEASE CHECK THE ONE WHICH PERTAINS TO YOUR BUSINESS:

- ☐ **Outside Contractor (Business Located Outside of Town that provides services within town) \$75.00 business license fee.**
- ☐ **RM - Resident Merchant (Any business physically located within the town) \$75.00 business license fee.**

Total Square Footage of Building - _____

Quantity

	Food – Drink Machine	Fee - \$ 34.00 each
	Ice Machine	Fee - \$ 34.00 each
	Cigarette Machine	Fee - \$ 56.00 each
	Newspaper Vending Machine	Fee - \$ 22.00 each
	Music Machine	Fee - \$ 66.00 each
	Amusement Machine	Fee - \$222.00 each
	Children's Riding Machine	Fee - \$ 40.00 each
	Other Dispensing Machine	Fee - \$ 34.00 each

TOTAL DUE \$ _____

I acknowledge by my signature that the above statements are true to the best of my knowledge.

APPLICANT

DATE

Resident Merchants Only

Application and fee is due no later than January 1st of each year. If received after the specified date a \$45 late charge will be applied.